

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROBERT PEARSON,

Plaintiffs,

-against-

ORANGE COUNTY and SERGEANT GESSNER

Defendants.
-----X

**NOTICE OF MOTION
IN LIMINE**

Case No.: 22-CV-09278 (PMH)

PLEASE TAKE NOTICE that, for the reasons set forth in the accompanying Memorandum of Law and Declaration of Stephanie T. Midler, the County Defendants shall move the Court, before The Honorable Philip M. Halpern, *in limine*, for an order pursuant to Rule 37(b)(2)(A) of the Federal Rules of Civil Procedure: (i) dismissing the Plaintiff's Complaint in its entirety; (ii) in the alternative, directing that the County Defendants' proposed findings of fact be taken as established for purposes of any trial in this action; and/or (iii) precluding Plaintiff from introducing any documentary evidence or calling any witnesses at trial

Motion denied without prejudice to renewal for failure to comply with Local Civil Rule 37.2, Fed. R. Civ. P. 37(a)(1), and Rule 4(D) of this Court's Individual Practices.

A telephonic status conference is scheduled in this matter for May 1, 2025 at 10:00am concerning the topics raised in this motion and in light of the possibility of incoming pro bono counsel for Plaintiff. At the time of the scheduled conference, all parties shall call the following number: (855) 244-8681; access code 2317 236 5283.

The Clerk of Court is respectfully directed to terminate the letter motion pending at Doc. 79 and mail a copy of this Order to Plaintiff.

SO ORDERED.

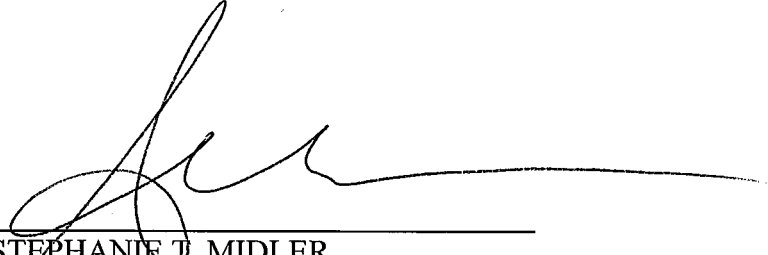

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
March 4, 2025

Plaintiffs' Interrogatories and Demands for
this Court's August 16, 2023 discovery

pursuant to the Court's Order dated April

Dated: Goshen, New York
May 16, 2024



STEPHANIE J. MIDLER
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